

## Aber, Bruce

---

**From:** Mcchesney, Dennis  
**Sent:** Wednesday, June 29, 2016 10:11 AM  
**To:** Aber, Bruce  
**Subject:** FW: Chestnut Petroleum - request for information

NJDEP correspondence

Dennis J. McChesney, Ph.D., MBA  
U.S. EPA Region 2  
290 Broadway  
New York, NY 10007-1866  
Voice (212) 637-4232  
Fax (212) 637-4211

**From:** Mike Hastry [mailto:Mike.Hastry@dep.nj.gov]  
**Sent:** Friday, August 22, 2014 5:18 PM  
**To:** McChesney, Dennis <McChesney.Dennis@epa.gov>  
**Subject:** FW: Chestnut Petroleum - request for information

fyi

---

**From:** Matt Coefer  
**Sent:** Monday, August 11, 2014 12:02 PM  
**To:** Mike Hastry; Rafael Rivera  
**Cc:** Jim Bono  
**Subject:** RE: Chestnut Petroleum - request for information

The subject UST Registration files have been copied and the records placed on Rafael's chair for mailing to EPA.

Matthew J. Coefer, Chief Records Custodian  
NJDEP – Office of Record Access  
(609) 633-1339

---

**From:** Mike Hastry  
**Sent:** Tuesday, August 05, 2014 11:15 AM  
**To:** Matt Coefer; Rafael Rivera  
**Cc:** Jim Bono  
**Subject:** RE: Chestnut Petroleum - request for information

EPA needs the actual signed doc's if available – These will be part of a Fed Dept of Justice case

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**From:** Matt Coefer  
**Sent:** Monday, August 04, 2014 11:36 AM  
**To:** Rafael Rivera  
**Cc:** Mike Hastry; Jim Bono; Matt Coefer  
**Subject:** RE: Chestnut Petroleum - request for information

Rafael:

With most facilities submitting the UST Registration Facility Questionnaire online the last 7 years, I'm wondering if it would be better for EPA to directly access the following online report using the PI #s?

[http://datamine2.state.nj.us/DEP\\_OPRA/OpraMain/REPORT\\_FACADE?id=a8acb14d9d3f4b1ed49bfb952e12a641fde1122acf05d1217e9938b3612795d0deec0b282a8f7fcd5267954f6e3d16a34afc66f651edb4ce2cbfedcd1ddd35d829b2e1bfff0c2c6ed1371031b9bd17cb2dea1d05d61a35d11fb44e5e03905166](http://datamine2.state.nj.us/DEP_OPRA/OpraMain/REPORT_FACADE?id=a8acb14d9d3f4b1ed49bfb952e12a641fde1122acf05d1217e9938b3612795d0deec0b282a8f7fcd5267954f6e3d16a34afc66f651edb4ce2cbfedcd1ddd35d829b2e1bfff0c2c6ed1371031b9bd17cb2dea1d05d61a35d11fb44e5e03905166)

The report summaries all of the UST Registration information in NJEMS. I attached an example. Only thing to mention to them is that they may have to run the report twice as sometime an error comes up the first time you do it and then have to select "ok" and re-run.

Matthew J. Coefer, Chief Records Custodian  
NJDEP – Office of Record Access  
(609) 633-1339

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**From:** Rafael Rivera  
**Sent:** Friday, August 01, 2014 2:34 PM  
**To:** Matt Coefer  
**Cc:** Mike Hastry; Jim Bono  
**Subject:** FW: Chestnut Petroleum - request for information

Would this be more appropriate for OPRA to retrieve the files do to the # of facilities? Request is from EPA. We typically would retrieve them but if you can assist it would be greatly appreciated. Please advise.

---

**From:** Stuart Friedman  
**Sent:** Wednesday, July 23, 2014 9:59 AM  
**To:** Rafael Rivera  
**Cc:** Mike Hastry; Karen Kloo; Jim Bono  
**Subject:** FW: Chestnut Petroleum - request for information

Rafael,

Jim Bono is on vacation. Can you see if these files can be pulled for the EPA? You can reach out to Dennis McChesney from the EPA (212) 637- 4232 if you need specifics about what they need from us.

Thanks,

Stuart

---

**From:** Mike Hastry  
**Sent:** Wednesday, July 23, 2014 9:15 AM  
**To:** Stuart Friedman; John Olko; Krista Frey; Leonard Lipman; Michael Hollis  
**Subject:** FW: Chestnut Petroleum - request for information

Another request from EPA, looks like they will be moving against all these facilities also.

---

**From:** McChesney, Dennis [<mailto:McChesney.Dennis@epa.gov>]

**Sent:** Wednesday, July 23, 2014 7:56 AM

**To:** Mike Hastry

**Cc:** John Olko; Aber, Bruce

**Subject:** Chestnut Petroleum - request for information

Mike:

We would like to obtain the UST registration applications (we can get the registrations in NJEMS) for the past 5 years for the facilities listed on the attached spreadsheet. Let me know if there is a problem providing this information.

Thanks,

Dennis

Dennis J. McChesney, Ph.D., MBA

Team Leader

UST Team

U.S. EPA Region 2

290 Broadway

New York, NY 10007-1866

Voice (212) 637-4232

Fax (212) 637-4211





**Aber, Bruce**

---

**From:** Mcchesney, Dennis  
**Sent:** Friday, September 05, 2014 10:23 AM  
**To:** Mcchesney, Dennis  
**Subject:** Fw: Chestnut - call in #

Dennis J. McChesney, Ph.D., MBA  
Team Leader  
UST Team  
U.S. EPA Region 2  
290 Broadway  
New York, NY 10007-1866  
Voice (212) 637- 4232  
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----- Forwarded by Dennis McChesney/R2/USEPA/US on 09/05/2014 10:22 AM -----

From: "Scott Caruso"  
To: Dennis McChesney/R2/USEPA/US@EPA  
Date: 10/01/2012 10:24 AM  
Subject: Re: Chestnut - call in #

---

Dennis:  
Thank you. We will call in at 11:30.  
Scott

>>> Dennis McChesney 10/1/2012 10:17 AM >>>  
We can use 866-299-3188, conference code 212-637-4232 #

Dennis J. McChesney, Ph.D., MBA  
Team Leader  
UST Team  
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290 Broadway  
New York, NY 10007-1866  
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From: "Scott Caruso"  
To: Dennis McChesney/R2/USEPA/US@EPA  
Cc: "Andrew English" , "Benjamin Conlon"  
 , "Russ Brauksieck"

Date: 09/26/2012 03:01 PM  
Subject: Re: Chestnut

Dennis:

Ben, Russ, and I are available on:

Monday (10/1) at 11:30 am;  
Tuesday (10/2) at 1:00 pm;  
Tuesday (10/2) at 2:00 pm;  
Wednesday (10/3) any time between 10:00 am and 3:00 pm;  
Thursday (10/4) at 9:00am;  
Friday (10/5) any time between 10:00 am and 3:30 pm.

Scott  
518-402-9525

>>> Dennis McChesney 9/24/2012 11:35 AM

>>>

Scott - please hold off on issuing this agreement. We're in a last week of the Fiscal Year crunch this week, but we do want to discuss vis-a-vis violations that we discovered at facilities subject to your previous consent agreement with Chestnut that do not appear to have been addressed during its applicable period. We're not sure that the self audit has been

effective at getting compliance from respondent. Would you folks be available next week to conference?

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To: Dennis McChesney/R2/USEPA/US@EPA  
Cc: Peter Misluk/R2/USEPA/US@EPA, "Andrew English"  
, "Benjamin Conlon"  
, "Russ Brauksieck"

Date: 09/11/2012 11:21 AM  
Subject: Re: Chestnut

Dennis:

Per our phone call today, attached is the draft order with Chestnut.

To it I just included section 9:

"IX. RESERVATION OF RIGHTS FOR VIOLATIONS FEDERAL LAW  
Nothing contained in this Order shall be construed as  
barring, diminishing, adjudicating, or in any way affecting any of the  
rights of the United States of America and/or the Environmental Protection  
Agency from recovering any past and future claim for violation of Federal

Law or Regulation."

Scott

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Regulation without enforcement is merely advice.

>>> Dennis McChesney 9/10/2012 1:07 PM

>>>

Hi Scott - Tuesday at 10 sounds good.

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From: "Scott Caruso"  
To: Dennis McChesney/R2/USEPA/US@EPA, "Andrew English"  
, "Benjamin Conlon"

Cc: Peter Misluk/R2/USEPA/US@EPA  
Date: 09/10/2012 12:03 PM  
Subject: Re: Chestnut

Dennis:

Andrew English will participate in the Chestnut phone conference in the absence of Russ.

Dates and times we (Benjamin Conlon, Andrew English, and I) are available this week include:

Tues (9/11) 10:00 am  
Wed (9/12) 9:00 am AND Noon  
Thursday (9/13) 10:00 am

Scott

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>>> Benjamin Conlon 9/10/2012 11:57 AM >>>  
Dennis, we are going to have to delay this as Russ is out for a few days, his mother, passed away after battling Alzheimer's disease for several years this weekend.

>>> Dennis McChesney 9/10/2012 9:04 AM  
>>>  
3PM today?

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From: "Russ Brauksieck"  
To: Dennis McChesney/R2/USEPA/US@EPA, "Benjamin Conlon"

Cc: "Scott Caruso"  
Date: 09/07/2012 02:34 PM

Subject: Re: Chestnut

Dennis -

Talked with Ben and the order is approximately one month away from being final. Order will be penalty for not registering facilities in a timely manner plus audit to ensure compliance.

Ben has agreed to a short conference call next week to discuss coordinating actions. Please let us know your available times and we will

get it scheduled.

Thanks

Russ

>>> Dennis McChesney 9/6/12 3:59 PM >>>  
Maybe next week we can conference on this.

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From: "Benjamin Conlon"  
To: "Russ Brauksieck"  
Cc: Dennis McChesney/R2/USEPA/US@EPA, "Scott Caruso"

Date: 09/06/2012 03:42 PM  
Subject: Re: Chestnut

We have one old order and we are working on a new order with them. Scott please send the old order to Dennis.

>>> Russ Brauksieck 9/6/2012 3:36:22 PM >>>  
Ben -

If I understand the situation correctly, the DEC has an executed consent order with CPD. If yes, please send a copy of the order to Dennis McChesney, EPA as EPA is looking to settle a case with CPD but do not want

to step on any toes if our order already addresses the issues.

Thanks

Russ

[attachment "Caruso, Scott.vcf" deleted by Dennis McChesney/R2/USEPA/US]  
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**Aber, Bruce**

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Cc: "Scott Caruso"

Date: 09/07/2012 02:34 PM

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## Aber, Bruce

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**From:** Mcchesney, Dennis  
**Sent:** Friday, September 05, 2014 10:22 AM  
**To:** Mcchesney, Dennis  
**Subject:** Fw: CPD Update

Dennis J. McChesney, Ph.D., MBA  
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From: "Scott Caruso"  
To: Dennis McChesney/R2/USEPA/US@EPA  
Date: 01/07/2013 08:23 AM  
Subject: Fwd: CPD Update

---

Dennis:  
DEC withdrew its audit consent order offer and negotiation with Chestnut Petroleum Distributors ceased at the end of November 2012.  
Scott

>>> John Barone 1/2/2013 4:38 PM >>>

Scott:

I am writing to update you regarding CPD's efforts to work with the DEC regarding an audit consent order. CPD's internal staff and I have spoken with the EPA on several occasions during the previous few weeks regarding various issues. Dennis McChesney and Peter Misluk are working directly with CPD concerning the ongoing extensive information request, and meanwhile, Dennis suggested that I speak with William Sawyer, Esq., who has been out of the office, returning next week. I will contact your office again after speaking with William next week.

Thank you.

John

John L. Barone, Esq.  
Tooher & Barone, LLP  
313 Hamilton Street  
Albany, NY 12210  
office: 518-432-4100 ext. 6  
fax: 518-432-4200  
cellular: 914-572-3626  
JBarone@tabllp.com<mailto:JBarone@tabllp.com>  
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Date: 01/07/2013 08:59 AM  
Subject: Re: Fwd: CPD Update

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Dennis:  
Yes.  
Scott

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Scott W. Caruso (f/k/a Owens), Esq.  
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>>> 1/7/2013 8:43 AM >>>

We are continuing to work them up through our IRL, but we were focusing our attention on NJ facilities. They don't seem to have performed much or any due diligence before the various acquisitions, and I had discussed with Russ last week regarding the pressure that the response was putting on them to at least determine what their facilities have. Russ agreed that this was supportive of DEC's potential audit agreement. Is the failure to reach agreement a green light for EPA to take enforcement action against CPD?

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Date: 01/07/2013 08:36 AM  
Subject: Re: Fwd: CPD Update

Dennis:  
They found the penalty (\$2,000 per facility) too high.  
Scott

>>> 1/7/2013 8:32 AM >>>

Scott - what happened? Were they not negotiating in good faith?

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Dennis:  
DEC withdrew its audit consent order offer and negotiation with Chestnut



Petroleum Distributors ceased at the end of November 2012.

Scott

>>> John Barone 1/2/2013 4:38 PM >>>

Scott:

I am writing to update you regarding CPD's efforts to work with the DEC regarding an audit consent order. CPD's internal staff and I have spoken with the EPA on several occasions during the previous few weeks regarding various issues. Dennis McChesney and Peter Misluk are working directly with CPD concerning the ongoing extensive information request, and meanwhile, Dennis suggested that I speak with William Sawyer, Esq., who has been out of the office, returning next week. I will contact your office again after speaking with William next week.

Thank you.

John

John L. Barone, Esq.

Toohar & Barone, LLP

313 Hamilton Street

Albany, NY 12210

office: 518-432-4100 ext. 6

fax: 518-432-4200

cellular: 914-572-3626

JBarone@tabllp.com<mailto:JBarone@tabllp.com>

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*(See attached file: Caruso, Scott.vcf)*



## **Aber, Bruce**

---

**Full Name:** Caruso, Scott  
**Last Name:** Caruso  
**First Name:** Scott  
**Job Title:** Section Chief, Spills and Bulk Storage Section, Bureau of Remediation and Revitalization, Office of General Counsel, New York State Department of Environmental Conservation

**Business Address:** Albany, New York 12233  
United States

**Business:** (518)402-9188  
**Other:** (518)402-9525  
**Primary Phone:** (518)402-9525

**E-mail:** swcaruso@gw.dec.state.ny.us  
**E-mail Display As:** Caruso, Scott (swcaruso@gw.dec.state.ny.us)

**Web Page:** <http://www.dec.ny.gov>



## Aber, Bruce

---

**From:** Mcchesney, Dennis  
**Sent:** Friday, September 05, 2014 10:20 AM  
**To:** Mcchesney, Dennis  
**Subject:** Fw: Chestnut

Dennis J. McChesney, Ph.D., MBA  
Team Leader  
UST Team  
U.S. EPA Region 2  
290 Broadway  
New York, NY 10007-1866  
Voice (212) 637- 4232  
Fax (212) 637- 4211

----- Forwarded by Dennis McChesney/R2/USEPA/US on 09/05/2014 10:20 AM -----

From: "Benjamin Conlon"  
To: Dennis McChesney/R2/USEPA/US@EPA  
Cc: Peter Misluk/R2/USEPA/US@EPA, "Scott Caruso"  
Date: 09/10/2012 11:57 AM  
Subject: Re: Chestnut

---

Dennis, we are going to have to delay this as Russ is out for a few days, his mother, passed away after battling Alzheimer's disease for several years this weekend.

>>> Dennis McChesney 9/10/2012 9:04 AM >>>  
3PM today?

Dennis J. McChesney, Ph.D., MBA  
Team Leader  
UST Team  
U.S. EPA Region 2  
290 Broadway  
New York, NY 10007-1866  
Voice (212) 637- 4232  
Fax (212) 637- 4211

From: "Russ Brauksieck"  
To: Dennis McChesney/R2/USEPA/US@EPA, "Benjamin Conlon"  
Cc: "Scott Caruso"  
Date: 09/07/2012 02:34 PM  
Subject: Re: Chestnut

---

Dennis -

Talked with Ben and the order is approximately one month away from being final. Order will be penalty for not registering facilities in a timely manner plus audit to ensure compliance.

Ben has agreed to a short conference call next week to discuss coordinating actions. Please let us know your available times and we will get it scheduled.

Thanks

Russ

>>> Dennis McChesney 9/6/12 3:59 PM >>>  
Maybe next week we can conference on this.

Dennis J. McChesney, Ph.D., MBA  
Team Leader  
UST Team  
U.S. EPA Region 2  
290 Broadway  
New York, NY 10007-1866  
Voice (212) 637- 4232  
Fax (212) 637- 4211

From: "Benjamin Conlon"  
To: "Russ Brauksieck"  
Cc: Dennis McChesney/R2/USEPA/US@EPA, "Scott Caruso"  
Date: 09/06/2012 03:42 PM  
Subject: Re: Chestnut

---

We have one old order and we are working on a new order with them. Scott please send the old order to Dennis.

>>> Russ Brauksieck 9/6/2012 3:36:22 PM >>>  
Ben -

If I understand the situation correctly, the DEC has an executed consent order with CPD. If yes, please send a copy of the order to Dennis McChesney, EPA as EPA is looking to settle a case with CPD but do not want to step on any toes if our order already addresses the issues.

Thanks

Russ

**Aber, Bruce**

---

**From:** Mcchesney, Dennis  
**Sent:** Friday, September 05, 2014 10:20 AM  
**To:** Mcchesney, Dennis  
**Subject:** Fw: Chestnut

Dennis J. McChesney, Ph.D., MBA  
Team Leader  
UST Team  
U.S. EPA Region 2  
290 Broadway  
New York, NY 10007-1866  
Voice (212) 637- 4232  
Fax (212) 637- 4211

----- Forwarded by Dennis McChesney/R2/USEPA/US on 09/05/2014 10:19 AM -----

From: "Benjamin Conlon"  
To: "Russ Brauksieck"  
Cc: Dennis McChesney/R2/USEPA/US@EPA, "Scott Caruso"  
Date: 09/06/2012 03:42 PM  
Subject: Re: Chestnut

---

We have one old order and we are working on a new order with them. Scott please send the old order to Dennis.

>>>> Russ Brauksieck 9/6/2012 3:36:22 PM >>>>  
Ben -

If I understand the situation correctly, the DEC has an executed consent order with CPD. If yes, please send a copy of the order to Dennis McChesney, EPA as EPA is looking to settle a case with CPD but do not want to step on any toes if our order already addresses the issues.

Thanks

Russ





**Aber, Bruce**

---

**From:** Mcchesney, Dennis  
**Sent:** Wednesday, June 29, 2016 10:10 AM  
**To:** Aber, Bruce  
**Subject:** FW: Chestnut facilities information request  
**Attachments:** application.pbs4485799.2009-12-29.pdf;  
application.pbs4485799.2010-03-16.getty58703..pdf;  
application.pbs4485799.2010-08-10.pdf; application.pbs4485799.2012-05-30.pdf;  
application.pbs4485799.2013-03-05.pdf

NYSDEC correspondence with attached registration applications

Dennis J. McChesney, Ph.D., MBA  
U.S. EPA Region 2  
290 Broadway  
New York, NY 10007-1866  
Voice (212) 637- 4232  
Fax (212) 637- 4211

**From:** Winterberger, Lynn (DEC) [mailto:lynn.winterberger@dec.ny.gov]  
**Sent:** Thursday, July 24, 2014 2:34 PM  
**To:** McChesney, Dennis <McChesney.Dennis@epa.gov>; Brauksieck, Russ (DEC) <russ.brauksieck@dec.ny.gov>  
**Subject:** RE: Chestnut facilities information request

Here you go.

Lynn M. Winterberger, P.E.  
Environmental Engineer  
NYSDEC Region 4 Office  
1130 North Westcott Road  
Schenectady, NY 12306-2014  
Desk Phone: 518-357-2374  
Fax: 518-357-2398

**NEW E-Mail Address:** [Lynn.Winterberger@dec.ny.gov](mailto:Lynn.Winterberger@dec.ny.gov)

---

**From:** McChesney, Dennis <McChesney.Dennis@epa.gov>  
**Sent:** Thursday, July 24, 2014 2:16 PM  
**To:** Winterberger, Lynn (DEC); Brauksieck, Russ (DEC); Moore, Edward L (DEC); Tipple, Michelle (DEC)  
**Subject:** RE: Chestnut facilities information request

Each of the last 5 years so 5 documents. Thanks

Dennis J. McChesney, Ph.D., MBA  
Team Leader  
UST Team  
U.S. EPA Region 2  
290 Broadway

New York, NY 10007-1866  
Voice (212) 637- 4232  
Fax (212) 637- 4211

**From:** Winterberger, Lynn (DEC) [<mailto:lynn.winterberger@dec.ny.gov>]  
**Sent:** Thursday, July 24, 2014 2:09 PM  
**To:** Brauksieck, Russ (DEC); Moore, Edward L (DEC); McChesney, Dennis; Tipple, Michelle (DEC)  
**Subject:** RE: Chestnut facilities information request

Dennis, Russ -

Just to clarify - are you looking for any application received in the last five years (five documents) or the last renewal (one document).

Lynn

Lynn M. Winterberger, P.E.  
Environmental Engineer  
NYSDEC Region 4 Office  
1130 North Westcott Road  
Schenectady, NY 12306-2014  
Desk Phone: 518-357-2374  
Fax: 518-357-2398

**NEW E-Mail Address:** [Lynn.Winterberger@dec.ny.gov](mailto:Lynn.Winterberger@dec.ny.gov)

---

**From:** Brauksieck, Russ (DEC)  
**Sent:** Thursday, July 24, 2014 12:29 PM  
**To:** Moore, Edward L (DEC); Dennis McChesney; Tipple, Michelle (DEC); Winterberger, Lynn (DEC)  
**Subject:** RE: Chestnut facilities information request

Ed -

We will have Lynn Winterberger get that one. Thanks for noticing it.

Lynn - can you get the latest PBS application for 4-485799 (Getty 58703 at 1372 Union Street, Schenectady) and send a electronic file to Dennis McChesney? Thanks

Russ

---

**From:** Moore, Edward L (DEC)  
**Sent:** Thursday, July 24, 2014 12:07 PM  
**To:** Brauksieck, Russ (DEC); Dennis McChesney; Tipple, Michelle (DEC)  
**Subject:** RE: Chestnut facilities information request

Denise,

I have my applications person working on this. You should have it by the end of next week. About 40 of these sites are region 3.

Russ,

Cindy took care of region 2. I noticed one site in Schenectady snuck into the list. Will you get that one?

Ed

---

**From:** Brauksieck, Russ (DEC)  
**Sent:** Thursday, July 24, 2014 9:25 AM  
**To:** Dennis McChesney; Moore, Edward L (DEC); Tipple, Michelle (DEC)  
**Subject:** FW: Chestnut facilities information request

Dennis -

See attached files for Region 2.

Ed/Michelle - Please pull the files together for the R3 facilities and send to Dennis McChesney.

Thanks

Russ

---

**From:** Freedman, Cynthia (DEC)  
**Sent:** Thursday, July 24, 2014 9:11 AM  
**To:** Brauksieck, Russ (DEC)  
**Cc:** Aversa, Jack A (DEC)  
**Subject:** FW: Chestnut facilities information request

Attached are three files from eDocs related to PBS 2-325953. There have been no recent applications for this facility in DECDocs or pending. There may or may not be other records maintained in Region 2 so Leszek Zielinski should respond.

The rest of the facilities are in Region 3, so the request should go to Michelle Tipple for response.

---

**From:** Brauksieck, Russ (DEC)  
**Sent:** Thursday, July 24, 2014 8:46 AM  
**To:** Freedman, Cynthia (DEC)  
**Subject:** FW: Chestnut facilities information request

Here you go. Sorry I forgot that it was not attached.

---

**From:** McChesney, Dennis <[McChesney.Dennis@epa.gov](mailto:McChesney.Dennis@epa.gov)>  
**Sent:** Wednesday, July 23, 2014 7:57 AM

**To:** Brauksieck, Russ (DEC)

**Cc:** Aber, Bruce

**Subject:** Chestnut facilities information request

Russ:

We would like to obtain the registration last 5 years' applications for the CPD facilities listed in the attached spreadsheet. Let me know if there is a problem providing us with this information.

Thanks

Dennis J. McChesney, Ph.D., MBA

Team Leader

UST Team

U.S. EPA Region 2

290 Broadway

New York, NY 10007-1866

Voice (212) 637- 4232

Fax (212) 637- 4211



# Petroleum Bulk Storage Application

Pursuant to the Petroleum Bulk Storage Law,  
Article 17, Title 10 of ECL; 6 NYCRR 612-6.14 and 6 NYCRR, Subpart 374-2

(Please Type or Print Clearly and Complete All Items for Sections A & B)

## Section A - Facility/Owner/Contact Information

Return Completed Form & Fees To:

NYSDEC Region 4  
PBS Unit  
1130 North Westcott Rd  
Schenectady, NY 12306  
(518) 354-2015



PBS Number:

4-185799

<b>Transaction Type:</b> <input checked="" type="checkbox"/> 1) Initial/ New Facility <input type="checkbox"/> 2) Change of Ownership <input type="checkbox"/> 3) Tank Installation, Closing, Repair or Reconditioning <input type="checkbox"/> 4) Information Correction <input type="checkbox"/> 5) Renewal	<b>Facility Name:</b> Getty Station No. 58703 <b>Location (Not P.O. Boxes):</b> 1372 Union Street <b>City:</b> Union Street & Broadview Ave <b>State:</b> NY <b>Zip Code:</b> 12308 <b>County:</b> Schenectady <b>Township or City:</b> Schenectady <b>Name of Daily On-Site Operator:</b> Crown Petroleum <b>Training:</b> <input type="checkbox"/> Facility Phone Number: (518) 377-3034 <b>Name of Primary Operator:</b> <b>Training:</b> <input type="checkbox"/> Primary Operator Phone Number:	<b>TYPE OF PETROLEUM FACILITY (Check only one):</b> <input type="checkbox"/> 01=Storage Terminal/Petroleum Distributor <input checked="" type="checkbox"/> 02=Retail Gasoline Sales <input type="checkbox"/> 03=Other Retail Sales <input type="checkbox"/> 04=Manufacturing <input type="checkbox"/> 05=Utility <input type="checkbox"/> 06=Trucking/Transportation <input type="checkbox"/> 07=Apartment Office Building <input type="checkbox"/> 08=School <input type="checkbox"/> 09=Farm <input type="checkbox"/> 10=Private Residence <input type="checkbox"/> 11=Airline/Air Taxi/Airport <input type="checkbox"/> 12=Chemical Distributor <input type="checkbox"/> 13=Municipality <input type="checkbox"/> 15=Railroad <input type="checkbox"/> 25=Auto Service/Repair (No Gasoline Sales) <input type="checkbox"/> 26=Religious (Church, Synagogue, Mosque, Temple, etc.) <input type="checkbox"/> 27=Hospital/Nursing Home/Health Care <input type="checkbox"/> 28=Cemetery / Memorial <input type="checkbox"/> 99=Other (Specify):
	<b>Owner Name:</b> Getty Petroleum Marketing, Inc. <b>Address (Street and/or P.O.):</b> 1500 Hempstead Turnpike <b>City:</b> East Meadow <b>State:</b> NY <b>Zip Code:</b> 11554 <b>Federal Tax ID Number:</b> 11-3339235 <b>Owner Telephone Number:</b> (516) 542-4900 <b>Check If:</b> <input type="checkbox"/> Multiple Tank Owners <input type="checkbox"/> Private Resident <input type="checkbox"/> State Government <input checked="" type="checkbox"/> Local Government <input checked="" type="checkbox"/> Corporate/Commercial	<b>Emergency Contact Name:</b> Scott Hanley <b>Emergency Telephone Number:</b> (716) 324-5110 <b>I hereby certify under penalty of perjury that the information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.</b> <b>Name of Owner or Authorized Representative:</b> Michael Carr <b>Title:</b> Authorized Agent For Owner <b>Signature:</b> <i>[Signature]</i> <b>Date:</b> 12/9/09
<b>NOTE: A change of ownership and/or federal tax ID submission must include the first page of the deed.</b>	<b>***The Application will be returned if these items are blank</b>	<b>OFFICIAL USE ONLY</b> <b>Date Received:</b> 12/11/09 <b>Date Processed:</b> 12/29/09 <b>Amount Received:</b> \$ 0 <b>Reviewed by:</b> YLS (pbsapplication2009.rpt)

PBS Number:

4485799

## Section B - Tank Information

(Please use the key located on the other side of this page to complete each item/column)

Registration Expiration Date:

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)
Action	Tank Number	Tank Location	Status	Installation or Permanent Closure Date (M/D/Year) application will be returned if blank or 00/00/0000	Capacity (Gallons)	Product Stored (If Gasoline w/ethanol or Biodiesel, list % additive)	Tank Type	Tank Internal Protection	Tank External Protection	Tank Secondary Containment	Tank Leak Detection	Tank Overfill Prevention	Tank Spill Prevention	Pumping/Dispensing Method	Piping Location	Piping Type	Piping External Protection	Piping Secondary Containment	Piping Leak Detection	Under Dispenser Containment (UDC) (Check box if present)	Tank Owned by Party Other Than Listed in Section A (Check box if applicable)
4	1	4	1	01/01/1986	5,000	2742/10	1	1	03	00	99	03	01	1	2	2	03	04	09	<input type="checkbox"/>	<input type="checkbox"/>
4	2	4	1	01/01/1986	5,000	2742/10	1	1	03	00	99	03	01	1	2	2	03	04	09	<input type="checkbox"/>	<input type="checkbox"/>
4	3	4	1	01/01/1986	10,000	2742/10	1	1	03	00	99	03	01	1	2	2	03	04	09	<input type="checkbox"/>	<input type="checkbox"/>
4	4	1	1	01/01/1986	240	00001	1	0	01	00	06	05	00	2	1	4	00	00	01	<input type="checkbox"/>	<input type="checkbox"/>
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Additional Tanks:

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# Petroleum Bulk Storage Application

Pursuant to the Petroleum Bulk Storage Law,  
Article 17, Title 10 of ECL, 6 NYCRR 612-614 and 6 NYCRR, Subpart 374-2

(Please Type or Print Clearly and Complete All Items for Sections A & B)

## Section A - Facility/Owner/Contact Information

Return Completed Form & Fees To:  
NYSDEC Region 4

1130 North Westcott Road  
Schenectady, NY 12306  
(518) 357-2045

AUG 10 2010

REGION IV HEADQUARTERS  
SCHENECTADY, NY 12306

Expiration Date: 10/11/2010

<b>Transaction Type</b> 5  1) Initial/ New Facility 2) Change of Ownership 3) Tank Installation, Closing, Repair or Reconditioning 4) Information Correction 5) Renewal	<b>Facility Name</b> GETTY STATION NO. 58703	<b>TYPE OF PETROLEUM FACILITY</b> (Check only one) <input type="checkbox"/> 01-Storage Terminal/Petroleum Distributor <input checked="" type="checkbox"/> 02-Retail Gasoline Sales <input type="checkbox"/> 03-Other Retail Sales <input type="checkbox"/> 04-Manufacturing <input type="checkbox"/> 05-Utility <input type="checkbox"/> 06-Trucking/Transportation <input type="checkbox"/> 07-Apartment/Office Building <input type="checkbox"/> 08-School <input type="checkbox"/> 09-Farm <input type="checkbox"/> 10-Private Residence <input type="checkbox"/> 11-Airline/Air Taxi/Airport <input type="checkbox"/> 12-Chemical Distributor <input type="checkbox"/> 13-Municipality <input type="checkbox"/> 15-Railroad <input type="checkbox"/> 25-Auto Service/Repair (No Gasoline Sales) <input type="checkbox"/> 26-Religious (Church, Synagogue, Mosque, Temple, etc.) <input type="checkbox"/> 27-Hospital/Nursing Home/Health Care <input type="checkbox"/> 28-Cemetery / Memorial <input type="checkbox"/> 99-Other (Specify):	
	<b>Location (Not P.O. Boxes)</b> 1372 UNION STREET		
	<b>Location (cont.)</b> UNION STREET & BRANDYWINE AVE.		
	<b>City</b> SCHENECTADY	<b>State</b> NY	<b>Zip Code</b> 12308
	<b>County</b> Schenectady	<b>Township or City</b> Schenectady (c)	
<b>Name of Daily On-Site Operator</b> CROWN PETROLEUM, INC.	<b>Facility Phone Number</b> (518) 377-3034		
<b>Name of Primary Operator</b>	<b>Primary Operator Phone Number</b>		
<b>Owner Name</b> GETTY PETROLEUM MARKETING INC	<b>Emergency Contact Name</b> SCOTT HANLEY	<b>Emergency Telephone Number</b> (718) 324-5110	
<b>Address (Street and/or P.O.)</b> 1500 HEMPSTEAD TURNPIKE	<b>I hereby certify under penalty of perjury that the information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 216.45 of the Penal Law.</b>		
<b>City</b> EAST MEADOW	<b>State</b> NY	<b>Zip Code</b> 11554	
<b>Federal Tax ID Number</b> 11-3339235	<b>Owner Telephone Number</b> (516) 542-4900	<b>Name of Owner or Authorized Representative</b> MICHAEL B. CARR	
<b>Check If Multiple Tank Owners</b> <input type="checkbox"/>	<b>Type of Owner (check only one)</b> 1 <input type="checkbox"/> Private Resident 2 <input type="checkbox"/> State Government 3 <input type="checkbox"/> Local Government 4 <input type="checkbox"/> Federal Government 5 <input checked="" type="checkbox"/> Corporate/Commercial	<b>Title</b> AGENT FOR GETTY <b>Signature</b> [Signature] <b>Date</b> 8/9/10	
<b>***The Application will be returned if these items are blank</b>	<b>OFFICIAL USE ONLY</b> <b>Date Received</b> 8/10/2010 <b>Date Processed</b> 8/10/2010 <b>Amount Received \$</b> 500 <b>Reviewed by</b> YLS (pbsapplication2009.rpt)		

(Please use the key located on the other side of this page to complete each item/column)

**Registration Expiration Date:**  
10/11/2010

(1) Action	(2) Task Number	(3) Task Location	(4) Status	(5) Installation or Permanent Closure Date (M/D/Year) application will be returned if blank or 00/00/0000	(6) Capacity (Gallons)	(7) Product Stored (If Gasoline w/ethanol or Biodiesel, list % additive)	(8) Tank Type	(9) Tank Internal Protection	(10) Tank External Protection	(11) Tank Secondary Containment	(12) Tank Leak Detection	(13) Tank Overfill Prevention	(14) Tank Spill Prevention	(15) Pumping/Dispensing Method	(16) Piping Location	(17) Piping Type	(18) Piping External Protection	(19) Piping Secondary Containment	(20) Piping Leak Detection	(21) Under Inspection	(22) Tank Owned By Party Other than User in Section A (check box if present)	
	1		5 1	1/1/1988	5,000	2712	10 01	01	06	00	99	03	01	01	02	01	06	06	00	07	<input type="checkbox"/>	<input type="checkbox"/>
	2		5 1	1/1/1988	5,000	2712	10 01	01	06	00	99	03	01	01	02	02	06		07	<input type="checkbox"/>	<input type="checkbox"/>	
	3		5 1	1/1/1988	10,000	2712	10 01	01	06	00	99	03	01	01	02	02	06		07	<input type="checkbox"/>	<input type="checkbox"/>	
	4		2 1	1/1/1998	240	0001	01	00	01	10	06	04	06	00	02	01	10	00	00	09	<input type="checkbox"/>	<input type="checkbox"/>

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)
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New York State Department of Environmental Conservation  
Division of Environmental Remediation



PBS Number:

4485799

# Petroleum Bulk Storage Application

Pursuant to the Environmental Conservation Law: Article 17, Title 10; and  
Regulations 6 NYCRR Parts 812-814 and 6 NYCRR Subpart 374-2  
(Please Type or Print Clearly and Complete All Items for Sections A, B & C)

Return Completed Form & Fees To:

NYSDC REG 4  
1130 N. WESTCOTT RD  
Schenectady, NY 12306-2014

## Section A - Facility/Property Owner/Contact Information

Expiration Date:

<b>Transaction</b> <b>Type:</b> 4 1) Initial/New Facility 2) Change of Ownership 3) Tank Installation, Closing, Repair or Reconditioning 4) Information Correction 5) Renewal	F	Facility Name <b>NECG 58703</b>	Tax Map Info Borough/Section:	<b>TYPE OF PETROLEUM FACILITY (Check only one)</b> <input type="checkbox"/> 01=Storage Terminal/Petrol Distributor <input checked="" type="checkbox"/> 02=Retail Gasoline Sales <input type="checkbox"/> 03=Other Retail Sales <input type="checkbox"/> 04=Manufacturing <input type="checkbox"/> 05=Utility <input type="checkbox"/> 06=Trucking/Transportation/Fleet <input type="checkbox"/> 07=Apartment/Office Building <input type="checkbox"/> 08=School <input type="checkbox"/> 09=Farm <input type="checkbox"/> 10=Private Residence <input type="checkbox"/> 11=Airline/Air Taxi/Airport <input type="checkbox"/> 12=Chemical Distributor <input type="checkbox"/> 13=Municipality <input type="checkbox"/> 15=Railroad <input type="checkbox"/> 25=Auto Service/Repair (No Gasoline Sales) <input type="checkbox"/> 26=Religious (Church, Synagogue, Mosque, Temple, etc.) <input type="checkbox"/> 27=Hospital/Nursing Home/Health Care <input type="checkbox"/> 28=Cemetery / Memorial <input type="checkbox"/> 29=Marina <input type="checkbox"/> 99=Other (Specify):		
	A	Facility Address (Physical Address, No P.O. Boxes) <b>1372 Union Street</b>	Block:			
	C	Facility Address (cont.): <b>Union Street + Brandywine Ave.</b>	Lot:			
	I	City: <b>Schenectady</b>	State: <b>NY</b>			Zip Code: <b>12308</b>
	L	County: <b>Schenectady</b>	Township or City: <b>City of Schenectady</b>			
I	Name of Class B (Daily On-Site) Operator: <b>Gulshan Budhwani</b>	Facility Phone Number: <b>518-229-2082</b>				
T	Name of Class A (Primary) Operator: <b>NECG Holdings Corp</b>					
Y						
<b>NOTE: A new registration, change of ownership, and/or federal tax ID change must include a copy of the first page of the deed.</b>	O	Facility (Property) Owner (from Deed): <b>Walter C. &amp; Gail C. Jaskot</b>	Emergency Contact Name: <b>Compliance Department</b>		Emergency Telephone Number: <b>845-256-0162</b>	
	W	Facility Owner Address (Street and/or P.O. Box): <b>3036 Williamsburg Dr</b>				
	N	City: <b>Schenectady</b>	State: <b>NY</b>	Zip Code: <b>12303</b>		
	E	Federal Tax ID Number:	Owner Telephone Number:			
	R	Type of Owner: (check only one) 1 <input checked="" type="checkbox"/> Private Resident 2 <input type="checkbox"/> State Government 3 <input type="checkbox"/> Local Government 4 <input type="checkbox"/> Federal Government 5 <input type="checkbox"/> Corporate/Commercial/Other				
<b>The Application will be returned if incomplete. *** indicates missing data</b>	C	I hereby certify under penalty of perjury that the information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.				
	O	Name of Owner or Authorized Representative: <b>Scott Parker</b>		Amount Enclosed: <b>\$ 500.00</b>		
	R	Title: <b>Director of Facilities</b>		Date: <b>1/10/13</b>		
	R	Signature: 				
	R					
<b>RECEIVED</b> <b>JAN 23 2013</b> <b>REGION IV HEADQUARTERS</b> <b>SCHENECTADY, NY 12306</b>	C	(Please keep this information up to date. It is used for mailing and contact purposes) Facility Contact Person Name: <b>Compliance Department</b>				
	O	Contact Person Company Name: <b>NECG Holdings Corp</b>				
	R	Address: <b>536 Main Street</b>				
	R	Address (cont.):				
	R	City/State/Zip Code: <b>New Paltz, NY 12561</b>				
		Telephone Number: <b>845-256-0162</b>	E-Mail Address:			

OFFICIAL USE ONLY

Date Received **1/23/13**

Date Processed **3/5/13**

Amount Received \$ **0**

Reviewed by: **YB**

(revised 09/18/2012)

4-485799

(Please use the key located on the other side of this page to complete each item/column)

**Registration Expiration Date:**

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	
Action	Tank Number	Tank Location	Status	Installation or Permanent Closure Date (MM/DD/YYYY) Application will be returned if blank or 00/00/0000	Capacity (Gallons)	Product Stored (If Gasoline w/ethanol or Biodiesel, list %additive)	Tank Type	Tank Internal Protection	Tank External Protection	Tank Secondary Containment	Tank Leak Detection	Tank Overfill Prevention	Tank Spill Prevention	Pumping/Dispensing Method	Piping Location	Piping Type	Piping External Protection	Piping Secondary Containment	Piping Leak Detection	Under Dispenser Containment (UDC) (Check box if present)	
4	1	5	1	1/1/1986	5000	2712 10	01	01	08	00	99*	03	01	01	02	01	08	00	07-99*		
4	2	5	1	1/1/1986	5000	2712 10	01	01	08	00	99*	03	01	01	02	01	08	00	07-99*		
4	3	5	1	1/1/1986	10000	2712 10	01	01	08	00	99*	03	01	01	02	01	08	00	07-99*		
4	4	5	1	1/1/1986	240	0001	01	01	01	04	02	04	05	00	02	01	10	00	00	09	

\* SIR

\*Annual  
Tightness Test

**Space for Writing in Additional Tanks (attached additional sheets as needed):**

[illegible]

PBS Number:

4-485799

## Petroleum Bulk Storage Application

### Section C – Tank Ownership Information (for PBS tanks listed in Section B)

Tank Owner Information			Tank Owner Information			Tank Owner Information		
<input type="checkbox"/> Same as Facility (Property) Owner listed in Section A. If not checked fill out information below:								
Tank Owner Name (Company/Individual):			Tank Owner Name (Company/Individual):			Tank Owner Name (Company/Individual):		
NECG Holdings Corp								
Contact Person:			Contact Person:			Contact Person:		
Scott Parker								
Tank Owner Address:			Tank Owner Address:			Tank Owner Address:		
536 Main Street								
Tank Owner Address (cont.)			Tank Owner Address (cont.)			Tank Owner Address (cont.)		
City:	State:	Zip:	City:	State:	Zip:	City:	State:	Zip:
New Paltz	NY	12561						
Contact Person Telephone Number:			Contact Person Telephone Number:			Contact Person Telephone Number:		
845-256-0162								
Contact Person Email:			Contact Person Email:			Contact Person Email:		
compliance@cpdenergy.com								
Specific Tanks Owned		Specific Tanks Owned		Specific Tanks Owned				
<input checked="" type="checkbox"/> Own all PBS tanks at this facility – If not checked, list tanks owned, using tank numbers from Section B:								
Tank Number	Tank Number (cont.)	Tank Number	Tank Number (cont.)	Tank Number	Tank Number (cont.)			



Attach additional sheets as needed.

TRANSMITTAL SLIP

TO Scott Parker  
FROM Thomas Sperbeck DATE 3/6/13  
RE: PBS# 4-485799  
I am returning check #1506 for \$500. There is no fee  
for information corrections during the already-paid  
registration period. Submit the Federal Tax ID Number  
or a Social Security Number.

FOR ACTION AS INDICATED:

- |                                                               |                                                  |
|---------------------------------------------------------------|--------------------------------------------------|
| <input type="checkbox"/> Please Handle                        | <input type="checkbox"/> Comments                |
| <input type="checkbox"/> Prepare Reply                        | <input type="checkbox"/> Signature               |
| <input type="checkbox"/> Prepare Reply for _____<br>Signature | <input type="checkbox"/> File                    |
| <input type="checkbox"/> Information                          | <input checked="" type="checkbox"/> Return to me |
| <input type="checkbox"/> Approval                             | <input type="checkbox"/> _____                   |
| <input type="checkbox"/> Prepare final/draft in _____ Copies  | <input type="checkbox"/> _____                   |

NECG HOLDINGS CORP - CONCENTRATION ACCOUNT		150
536 MAIN STREET NEW PALTZ, NY 12561		
DATE <u>1/18/13</u>		1-32-210
PAY TO THE ORDER OF <u>NYS Department of Environmental Conservation</u>	\$ <u>500</u> <sup>00</sup> / <sub>100</sub>	
<u>Five hundred &amp; no/100</u>	DOLLARS	
FOR <u>PBS# 4-485799</u> <u>1130 N Westcott</u>	<u>Schönfeld</u>	
⑈001506⑈ ⑆021000322⑆ 483044922729⑈		

A 220

100-1102-0063

Should be kept in file with original instrument, and not in duplicate.

DATE CODE

08-D27

JULIAN BLUMBERG, INC. - LAW BLANK PUBLISHERS

424.00

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 10th day of April, nineteen hundred and six, BETWEEN MOBIL OIL CORPORATION, a corporation duly organized and existing under the laws of the State of New York and having an office and place of business at 1225 Galloway Road, Fairfax, Virginia 22037, originally named Standard Oil Company of New York, that name having been duly changed to Socony-Vacuum Corporation on July 30, 1931, and subsequently duly changed to Socony-Vacuum Oil Company, Incorporated on May 31, 1934, and thereafter on April 29, 1955 duly changed to Socony Mobil Oil Company, Inc., and that name having been duly changed to Mobil Oil Corporation on May 18, 1966.

party of the first part, and WALTER C. JASKOT and GAIL C. JASKOT, his wife, having a place of residence at 3016 Williamsburg Drive in the City and County of Schenectady and State of New York,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of One Hundred Six Thousand

(\$106,000.00) dollars, lawful money of the United States, paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Schenectady, County of Schenectady and State of New York, bounded and described as follows:

BEGINNING at a point, said point being the intersection of the southerly line of Union Street and the westerly line of Brandywine Avenue, and being distant seventeen (17') feet southerly from the southerly curb line of Union Street, and nine (9') feet westerly from the westerly curb line of Brandywine Avenue; thence along the westerly line of Brandywine Avenue, south 23° 32' west one hundred twenty-four and eighty-five hundredths (124.85) feet to an iron pipe; thence at an interior angle of 90° with the westerly line of Brandywine Avenue, north 66° 28' west, ninety (90') feet to an iron pipe; thence at an exterior angle of 90° with the last described line, south 23° 32' west, thirty-six (36') feet to an iron pipe; thence at an interior angle of 90° with the last described line north 1° 28' west, twenty-six and fifty-two hundredths (26.52) feet to an iron pipe; thence at an exterior angle of 90° with the last described line south 23° 32' west, fifteen (15') feet to an iron pipe; thence at an interior angle of 94° 45' with the last described line north 71° 13' west, fifty (50') feet to an iron pipe; thence at an interior angle of 85° 15' with the last described line north 23° 32' east, one hundred eighty (180') feet to an iron pipe in the southerly line of Union Street; thence at an interior angle of 90° with the last described line and along the southerly line of Union Street, south 66° 28' east, one hundred sixty-six and five-tenths (166.5) feet to the point of beginning, said last mentioned line forming an interior angle of 10° with the first described line.

Excepting and reserving therefrom all that tract or parcel of land, situate in the City of Schenectady, County of Schenectady and State of New York, bounded and described as follows:

Beginning at an iron pipe driven in the ground at the Northeastly corner of land now or formerly of Walter D. Goodale, which iron pipe is north 66° 28' west, ninety (90) feet from an iron pipe located in the westerly line of Brandywine Avenue at a point south 23° 32' west one hundred twenty-four and eighty-five hundredths (124.85) feet from the point of intersection of the southerly line of Union Street and the westerly line of Brandywine Avenue; thence from said point of beginning, south 23° 32' west, thirty-six (36) feet to an iron pipe; thence at an interior angle of 90° with the last described

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line, north 66° 28' west, twenty-six and fifty-two hundredths (26.52) feet to an iron pipe; thence at an exterior angle of 90° with the last described line, south 23° 32' west, fifteen (15) feet to an iron pipe; thence at an interior angle of 94° 45' with the last described line, north 71° 13' west, fifty (50) feet to an iron pipe; thence at an interior angle of 85° 15' with the last described line, north 23° 32' east, fifty-five and fifteen one hundredths (55.15) feet to a point; thence at an interior angle of 90° with the last described line, south 66° 28' east, seventy-six and five tenths (76.5) feet to the iron pipe marking the point or place of beginning, said last mentioned line forming an interior angle of 90° with the first described line.

Subject to all covenants, conditions, restrictions, easements, provisions, exceptions, and reservations, if any, contained in former instruments of records.

For the title of the party of the first part, reference is made to a deed dated September 7, 1923 from Frank M. Porter to Standard Oil Company of New York recorded in Liber 313 of Deeds at Page 204 among the land records of Schenectady County, New York. See deed dated January 9, 1925 from Standard Oil Company of New York to Walter D. Goodale.

LIB 1102 EE 0063



110210070

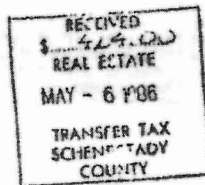
TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center line thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

The party of the first part hereby warrants that the property described herein does not constitute all or substantially all of the assets of the party of the first part and that the requirements of Sec. 909(a) of the Business Corporation Law are not applicable to this transaction.

3617



AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed so it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has ~~caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officer the day and year first above written.~~

XXXXXXX/88X

ATTEST: J. W. DALGETTY

*J. W. Dalgetty*  
Assistant Secretary

MOBIL OIL CORPORATION

D. J. D'ALESSIO

By: *D. J. D'Alessio*  
Assistant Controller

44

On the            day of            19            , before me  
personally came

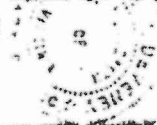
to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

1102-0072

11

On the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, before me personally came \_\_\_\_\_, to me known, who, being by me duly sworn, did depose and say that he resides at No. \_\_\_\_\_ that he is the \_\_\_\_\_ of \_\_\_\_\_

in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed in name thereto by like order.



Louise M. Denny  
Notary Public

My Commission Expires: 09-09-69

**Bargain and sale deed**  
WITHOUT CONCURRENCE GRANTOR'S ACTS  
Title No.

SECTION  
BLOCK  
LOT  
COUNTY OR TOWN

MOBIL OIL CORPORATION

TO

WALTER C. JASKOT  
AND  
GAIL C. JASKOT

RETURN BY MAIL TO:

DeGraff Fay, Conway, Holt-Hor.  
90 State Street  
Albany, N.Y.  
1491 John D. Rodgers. Dep. No. 12207

*P. 35*

COLUMBIAN 7

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85 f.

Standard Office



# Petroleum Bulk Storage Application

Pursuant to the Petroleum Bulk Storage Law,  
Article 17, Title 10 of ECL, 6 NYCRR 612-6.14 and 6 NYCRR, Subpart 374-2

(Please Type or Print Clearly and Complete All Items for Sections A & B)

Return Completed Form & Fees To:

NYSDEC Region 4  
PBS Unit  
1130 North Westcote Rd  
Schenectady, NY 12306  
(518) 354-2015



PBS Number:

4-485499

## Section A - Facility/Owner/Contact Information

Expiration Date:

<b>Transaction Type:</b> <input checked="" type="checkbox"/> 1) Initial/New Facility <input type="checkbox"/> 2) Change of Ownership <input type="checkbox"/> 3) Tank Installation, Closing, Repair or Reconditioning <input type="checkbox"/> 4) Information Correction <input type="checkbox"/> 5) Renewal	<b>Facility Name:</b> <u>Getty #58403</u> <b>Location (Not P.O. Boxes):</b> <u>1342 Union Street</u> <b>Location (cont.):</b> <u>Union Street &amp; Brandwine Avenue</u> <b>City:</b> <u>Schenectady</u> <b>State:</b> <u>NY</u> <b>Zip Code:</b> <u>12308</u> <b>County:</b> <u>Schenectady</u> <b>Township or City:</b> <u>Schenectady</u> <b>Name of Daily On-Site Operator:</b> <u>Crown Petroleum, Inc.</u> <b>Training:</b> <input type="checkbox"/> <b>Facility Phone Number:</b> <u>518-929-1358</u> <b>Name of Primary Operator:</b> <u>Crown Petroleum, Inc.</u> <b>Training:</b> <input type="checkbox"/> <b>Primary Operator Phone Number:</b> <u>518-929-1358</u>	<b>TYPE OF PETROLEUM FACILITY (Check only one)</b> <input type="checkbox"/> 01=Storage Terminal/Petroleum Distributor <input checked="" type="checkbox"/> 02=Retail Gasoline Sales <input type="checkbox"/> 03=Other Retail Sales <input type="checkbox"/> 04=Manufacturing <input type="checkbox"/> 05=Utility <input type="checkbox"/> 06=Trucking/Transportation <input type="checkbox"/> 07=Apartment/Office Building <input type="checkbox"/> 08=School <input type="checkbox"/> 09=Farm <input type="checkbox"/> 10=Private Residence <input type="checkbox"/> 11=Airline/Air Taxi/Airport <input type="checkbox"/> 12=Chemical Distributor <input type="checkbox"/> 13=Municipality <input type="checkbox"/> 15=Railroad <input type="checkbox"/> 25=Auto Service/Repair (No Gasoline Sales) <input type="checkbox"/> 26=Religious (Church, Synagogue, Mosque, Temple, etc.) <input type="checkbox"/> 27=Hospital/Nursing Home/Health Care <input type="checkbox"/> 28=Cemetery / Memorial <input type="checkbox"/> 99=Other (Specify): _____
<b>NOTE: A change of ownership and/or federal tax ID submission must include the first page of the deed.</b>	<b>Owner Name:</b> <u>Getty Petroleum Marketing, Inc.</u> <b>Address (Street and/or R.O.):</b> _____ <b>City:</b> <u>East Meadow</u> <b>State:</b> <u>NY</u> <b>Zip Code:</b> <u>11554</u> <b>Federal Tax ID Number:</b> <u>11-3339235</u> <b>Owner Telephone Number:</b> <u>(516) 542-4900</u> <b>Check If Multiple Tank Owners:</b> <input type="checkbox"/> <b>Type of Owner: (check only one)</b> <input type="checkbox"/> 1 Private Resident <input type="checkbox"/> 3 Local Government <input type="checkbox"/> 2 State Government <input checked="" type="checkbox"/> 4 Federal Government <input type="checkbox"/> 5 Corporate/Commercial	<b>Emergency Contact Name:</b> <u>Scott Hankey</u> <b>Emergency Telephone Number:</b> <u>(518) 324-5100</u> I hereby certify under penalty of perjury that the information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law. <b>Name of Owner or Authorized Representative:</b> <u>Michael Carr</u> <b>Amount Enclosed:</b> \$ _____ <b>Title:</b> <u>Authorized Signatory For Client</u> <b>Signature:</b> <u>[Signature]</u> <b>***</b> <b>Date:</b> <u>March 11, 2010</u>
<b>***The Application will be returned if these items are blank</b>	<b>COORRESPONDENCE</b> <b>Attention:</b> <u>Scott Hankey</u> <b>Name of Company:</b> <u>Getty Petroleum Marketing, Inc.</u> <b>Address:</b> <u>1500 Hempstead Turnpike</u> <b>City/State/Zip Code:</b> <u>East Meadow, NY 11554</u> <b>Telephone Number:</b> <u>(516) 542-5022</u> <b>E-Mail Address:</b> _____	<b>OFFICIAL USE ONLY</b> <b>Date Received:</b> <u>3/16/10</u> <b>Date Processed:</b> <u>3/04/10</u> <b>Amount Received:</b> \$ <u>0</u> <b>Reviewed by:</b> <u>YLS</u> (pbsapplication2009.rpt)

PBS Number:

4-485499

**Section B - Tank Information**

Page 1 of 1

(Please use the key located on the other side of this page to complete each item/column)

Registration Expiration Date:

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)
Action	Tank Number	Tank Location	Status	Installation or Permanent Closure Date (M/D/Year) <b>application will be returned if blank or 00/00/0000</b>	Capacity (Gallons)	Product Stored (If Gasoline w/ethanol or Biodiesel, list % additive)  %	Tank Type	Tank Internal Protection	Tank External Protection	Tank Secondary Containment	Tank Leak Detection	Tank Overfill Prevention	Tank Spill Prevention	Pumping/Dispensing Method	Piping Location	Piping Type	Piping External Protection	Piping Secondary Containment	Piping Leak Detection	Under Dispenser Containment (UDC) (Check box if present)	Tank Owned by Party Other Than Listed in Section A (Check box if applicable)
	1	41	1	01/01/1986	5,000	2742 10	1	1	08	00	99	03	01	1	2	2	08	00	04	<input type="checkbox"/>	<input type="checkbox"/>
	2	41	1	01/01/1986	5,000	2742 10	1	1	08	00	99	03	01	1	2	2	03	00	04	<input type="checkbox"/>	<input type="checkbox"/>
	3	41	1	01/01/1986	10,000	2742 10	1	1	08	00	99	03	01	1	2	2	03	00	04	<input type="checkbox"/>	<input type="checkbox"/>
4	4	21	1	01/01/1998	240	0003	1	0	01	02	06	45	02	1	10	00	00	04	<input type="checkbox"/>	<input type="checkbox"/>	
																				<input type="checkbox"/>	<input type="checkbox"/>

**Additional Tanks:**

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)
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The Tyree Company

Latham  
1 Northway Lane, Latham, NY 12110 Fax: 518-786-7351 Phone: 518-786-3200

March 12, 2010

NYSDEC Region 4  
PBS Unit  
1150 North Westcott Road  
Schenectady, NY 12306  
518-357-2045

MAR 16 2010

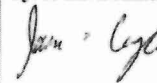
Subject: PBS Application Correction  
Getty #58703  
1372 Union Street  
Schenectady NY, 12308

To Whom It May Concern,

Enclosed for your convenience is a Transaction Type four (4) correction for Getty site # 58703. Please update this information in your system. Any questions or concerns please call me at (518)-786-3200 ext. 218. Thank you.

Sincerely,

Tyree Environmental Corp.



Jason E. Caza  
Compliance Project Manager  
Tyree  
1 Northway Lane  
Latham, NY 12110  
518-786-3200 ext 218  
518-786 7351 fax



# Petroleum Bulk Storage Application

Pursuant to the Petroleum Bulk Storage Law,  
Article 17, Title 10 of T.C.L. 6 NYCRR 612-614 and 6 NYCRR, Subpart 374-2

(Please Type or Print Clearly and Complete All Items for Sections A & B)

## Return Completed Form & Fees To:

Region 4  
NYSDEC - PBS Unit  
1130 North Westcott Road  
Schenectady, NY 12306  
(518) 357-2045



PBS Number:  
4-485799

### Section A - Facility/Owner/Contact Information

<b>Transaction</b> Type: <u>4</u> 1) Initial New Facility 2) Change of Ownership 3) Tank Installation, Closing, Repair or Reconditioning 4) Information Correction 5) Renewal		<b>Facility Name</b> GETTY STATION NO. 58703 <b>Location (Not P.O. Boxes)</b> 1372 UNION STREET <b>Location (cont.)</b> UNION STREET & BRANDYWINE AVE. <b>City</b> SCHENECTADY <b>State</b> NY <b>Zip Code</b> 12308 <b>County</b> Schenectady <b>Township or City</b> Schenectady (c) <b>Name of Daily On-Site Operator</b> GULSHAN Budhwani <b>Training:</b> Facility Phone Number (518) 229-7082 <b>Name of Primary Operator</b> Crown Petroleum Inc <b>Training:</b> Primary Operator Phone Number (518) 377-3034		<b>Expiration Date:</b> <b>TYPE OF PETROLEUM FACILITY (Check only one)</b> <input type="checkbox"/> 01=Storage Terminal/Petroleum Distributor <input checked="" type="checkbox"/> 02=Retail Gasoline Sales <input type="checkbox"/> 03=Other Retail Sales <input type="checkbox"/> 04=Manufacturing <input type="checkbox"/> 05=Utility <input type="checkbox"/> 06=Trucking/Transportation <input type="checkbox"/> 07=Apartment/Office Building <input type="checkbox"/> 08=School <input type="checkbox"/> 09=Farm <input type="checkbox"/> 10=Private Residence <input type="checkbox"/> 11=Airline/Air Taxi/Airport <input type="checkbox"/> 12=Chemical Distributor <input type="checkbox"/> 13=Municipality <input type="checkbox"/> 15=Railroad <input type="checkbox"/> 25=Auto Service/Repair (No Gasoline Sales) <input type="checkbox"/> 26=Religious (Church, Synagogue, Mosque, Temple, etc.) <input type="checkbox"/> 27=Hospital/Nursing Home/Health Care <input type="checkbox"/> 28=Cemetery / Memorial <input type="checkbox"/> 99=Other (Specify):	
<b>NOTE: A change of ownership and/or federal tax ID submission must include the first page of the deed.</b>		<b>Owner Name</b> GETTY Petroleum Marketing, Inc. <b>Address (Street and/or P.O.)</b> 1500 HEMPSTEAD TURNPIKE <b>City</b> EAST MENDON <b>State</b> NY <b>Zip Code</b> 11554 <b>Federal Tax ID Number</b> <b>Owner Telephone Number</b> 561-542-4900		<b>Emergency Contact Name</b> <b>Emergency Telephone Number</b> <b>I hereby certify under penalty of perjury that the information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.</b> <b>Name of Owner or Authorized Representative:</b> SCOTT PARKER <b>Title:</b> FACILITIES DIRECTOR <b>Signature:</b> <b>Amount Enclosed:</b> \$ 0.00 <b>Date:</b> 05/15/12	
<b>***The Application will be returned if these items are blank</b>		<b>CORRESPONDENCE</b> <b>Attention:</b> SCOTT PARKER <b>Name of Company:</b> NECG HOLDING CORP <b>Address:</b> 536 MAIN STREET <b>City/State/Zip Code:</b> NEW PALTE, NY 12561 <b>Telephone Number:</b> (845) 256-0162 <b>E-Mail Address:</b> SPARKER@CPDENVERGY.COM		<b>OFFICIAL USE ONLY</b> <b>Date Received:</b> 5/18/12 <b>Date Processed:</b> 5/30/12 <b>Amount Received:</b> \$ 0.00 <b>Reviewed by:</b> [Signature] (pbsapplication2009 rpt)	

(Please use the key located on the other side of this page to complete each item/column)

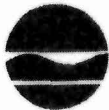
(1) Action	(2) Tank Number	(3) Tank Location	(4) Status	(5) Installation or Permanent Closure Date (M/D/Year) <b>application will be returned if blank or 00/00/0000</b>	(6) Capacity (Gallons)	(7) Product Stored (If Gasoline, w/ethanol or Biodiesel, list % additive)	(8) Tank Type	(9) Tank Internal Protection	(10) Tank External Protection	(11) Tank Secondary Containment	(12) Tank Leak Detection	(13) Tank Overfill Prevention	(14) Tank Spill Prevention	(15) Pumping/Disposing Method	(16) Piping Location	(17) Piping Type	(18) Piping External Protection	(19) Piping Secondary Containment	(20) Piping Leak Detection	(21) Under Dispenser Containment (I.D.) (check box if present)	(22) Tank owned by Party Other Than I used in Section A (check box if applicable)		
1		5	1	1/1/1986	5,000	2712	1001	01	08	00	99	03	01	01	02	01	06	08	00	07	99	<input type="checkbox"/>	<input type="checkbox"/>
2		5	1	1/1/1986	5,000	2712	1001	01	08	00	99	03	01	01	02	02	08	00	07	99	<input type="checkbox"/>	<input type="checkbox"/>	
3		5	1	1/1/1986	10,000	2712	1001	01	08	00	99	03	01	01	02	02	08	00	07	99	<input type="checkbox"/>	<input type="checkbox"/>	
4		2	1	1/1/1986	240	0001	01	00	01	10 04	10 02	04	05	00	02	01	10	00	00	09	<input type="checkbox"/>	<input type="checkbox"/>	

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)
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**PETROLEUM BULK STORAGE APPLICATION – SECTION B – TANK INFORMATION – CODE KEYS**

<b>Action (1)</b> 1. Initial Listing 2. Add Tank 3. Close/Remove Tank 4. Information Correction 5. Recondition/Repair/ Reline Tank	<b>Product Stored (7)</b> <b>Heating Oils</b> 0001. #2 Fuel Oil 0002. #4 Fuel Oil 0259. #5 Fuel Oil 0003. #6 Fuel Oil 0012. Kerosene 0591. Clarified Oil 2711. Biodiesel (Heating) 2642. Used Oil (Heating) <b>Motor Fuels</b> 0009. Gasoline 2712. Gasoline/Ethanol 0008. Diesel 2710. Biodiesel 0011. Jet Fuel 1044. Jet Fuel (Biofuel) 2641. Aviation Gasoline <b>Crude Oil</b> 0006. Crude Oil 0701. Crude Oil Fractions	<b>Lubricating/Cutting Oils</b> 0013. Lube Oil 0015. Motor Oil 1045. Gear/Spindle Oil 0010. Hydraulic Oil 0007. Cutting Oil 0021. Transmission Fluid 1836. Turbine Oil 0308. Petroleum Grease <b>Oils Used As Building Materials</b> 2626. Asphaltic Emulsions 0748. Form Oil <b>Petroleum Spirits</b> 0014. White/Mineral Spirits 1731. Naphtha <b>Mineral/Insulating Oils</b> 0020. Insulating Oil (e.g., Transformer, Cable Oil) 2630. Mineral Oil <b>Waste/Used/Other Oils</b> 0022. Waste/Used Oil 9999. Other -please list :*	<b>Secondary Containment (11/19)</b> 00. None <b>Aboveground Tanks/Piping</b> 01. Diking 02. Vault (w/access) 05. Synthetic Liner 06. Remote Impounding Area 09. Modified Double-Walled 10. Impermeable Barrier *** 11. Double Bottom *** *** Each of these codes must be combined with code 01 or 06 to meet compliance requirements <b>Underground Tanks/Piping</b> 03. Vault (w/o access) 04. Double-Walled 05. Synthetic Liner 07. Excavation/Trench Liner System 08. Flexible Internal Liner (Bladder) 10. Impervious Underlayment	<b>Spill Prevention (14)</b> 00. None 01. Catch Basin 02. Transfer Station Containment 99. Other - Please list*
<b>Tank Location (3)</b> 1. Aboveground-contact w/soil 2. Aboveground-contact w/ impervious barrier 3. Aboveground on saddles, legs, stilts, rack, or cradle 4. Aboveground with 10% or more below ground 5. Underground 6. Aboveground in Subterranean Vault w/ access for inspections	<b>Tank Type (8)</b> 01. Steel/Carbon Steel/Iron 02. Galvanized Steel Alloy 03. Stainless Steel Alloy 04. Fiberglass Coated Steel 05. Steel Tank in Concrete 06. Fiberglass Reinforced Plastic (FRP) 07. Plastic 08. Equivalent Technology 09. Concrete 10. Urethane Clad Steel 99. Other-please list:*	<b>External Protection (10/18)</b> 00. None 01. Painted/Asphalt Coating 02. Original Sacrificial Anode 03. Original Impressed Current 04. Fiberglass 05. Jacketed 06. Wrapped (Piping) 07. Retrofitted Sacrificial Anode 08. Retrofitted Impressed Current 09. Urethane 99. Other-please list:*	<b>Tank Leak Detection (12)</b> 00. None 01. Interstitial Electronic Monitoring 02. Interstitial Manual Monitoring 03. Vapor Well 04. Groundwater Well 05. In-Tank System (Auto Tank Gauge) 06. Impermeable Barrier (Aboveground Only) 99. Other-please list:* <b>Overfill Prevention (13)</b> 00. None 01. Float Vent Valve 02. High Level Alarm 03. Automatic Shut-off (Aboveground Only) 04. Product Level Gauge (Aboveground Only) 05. Vent Whistle 99. Other-please list:*	<b>Pumping/Dispensing Method (15)</b> 00. None 01. Submersible 02. Suction 03. Gravity
<b>Status (4)</b> 1. In-service 2. Temporarily out-of-service 3. Closed-Removed 4. Closed- In Place 5. Tank converted to Non-Regulated use	<b>Internal Protection (9)</b> 00. None 01. Epoxy Liner 02. Rubber Liner 03. Fiberglass Liner (FRP) 04. Glass Liner 99. Other-please list:*			<b>Piping Location (16)</b> 00. No Piping 01. Aboveground 02. Underground/On-ground 03. Aboveground/Underground Combination
<b>Under Dispenser Containment (UDC) – sump/containment underneath a motor fuel dispenser (21)</b> Check If Present				<b>Piping Type (17)</b> 00. None 01. Steel/Carbon Steel/Iron 02. Galvanized Steel 03. Stainless Steel Alloy 04. Fiberglass Coated Steel 05. Steel Encased in Concrete 06. Fiberglass Reinforced Plastic (FRP) 07. Plastic 08. Equivalent Technology 09. Concrete 10. Copper 11. Flexible Piping 99. Other-please list:*
<b>Tank Owned by Party Other Than Listed in Section a (22)</b> Check If Applicable				<b>Pipe Leak Detection (20)</b> 00. None 01. Interstitial Electronic Monitoring 02. Interstitial Manual Monitoring 03. Vapor Well 04. Groundwater Well 07. Pressurized Piping Leak Detection 08. Tank Top Sump 09. Exempt Suction Piping 99. Other-please list*

\* If other, please list on a separate sheet including Tank Number



New York State Department of Environmental Conservation  
Petroleum Bulk Storage Program  
Authorized Representative For Multiple Owners Form  
*(The following page is to be used for specifying facility multiple owners)*

Facility Name: GETTY STATION NO 58703 Facility Number: 4-485799

I hereby certify that I am qualified under the regulatory definition to be the owner for the above-named facility.

1. SCOTT PARKER of NEBS HOLDING CORP  
(Typed or printed name)

( ) am an officer of the corporation. My title is \_\_\_\_\_

( ) perform policy or decision-making functions similar to that of an officer of the corporation.  
Explain: \_\_\_\_\_

( ) am a general partner in a partnership.

( ) am the owner of a sole proprietorship.

( ) am a principal executive officer or ranking elected official of a municipality, state, federal, or other public agency. My office/title is: \_\_\_\_\_  
My agency is: \_\_\_\_\_

☒ am the operator at this facility and responsible for the following petroleum tanks at this facility applying for or subject to a certificate under these regulations

Tank Number	AST/UST	Capacity (gallons)	Product
1	UST	5,000	2712
2	UST	5,000	2712
3	UST	10,000	2712
4	AST	240	8001

I hereby designate \_\_\_\_\_ as an authorized representative to act in my stead  
(Name of individual)

This individual's business title is: \_\_\_\_\_

I also certify that this individual is an additional owner responsible for the following petroleum tanks at this facility applying for or subject to a certificate under these regulations

Tank Number	AST/UST	Capacity (gallons)	Product
-------------	---------	--------------------	---------

I hereby certify under penalty of perjury that the information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Signature of owner

Date

Signature of duly authorized representative designee

Date

05/15/12



## Aber, Bruce

**From:** Martin, John  
**Sent:** Monday, August 08, 2016 11:27 AM  
**To:** Aber, Bruce  
**Cc:** Shapiro, Naomi  
**Subject:** RE: Structures for fumigation for Superior Press Release

Going to bring to Judith shortly, but wondering if you guys are ok with this:

The methyl bromide-containing pesticides purchased and distributed by these companies may only be applied for quarantine and preshipment purposes in structures used for the commercial storage or handling of commodities, such as those found in ports and airports.

5JSDA has pallets in warehouse

**From:** Martin, John  
**Sent:** Friday, August 05, 2016 11:11 AM  
**To:** Aber, Bruce <Aber.Bruce@epa.gov>  
**Cc:** Shapiro, Naomi <Shapiro.Naomi@epa.gov>  
**Subject:** RE: Structures for fumigation for Superior Press Release

Ok. Thanks again.

**From:** Aber, Bruce  
**Sent:** Friday, August 05, 2016 11:08 AM  
**To:** Martin, John <[Martin.JohnJ@epa.gov](mailto:Martin.JohnJ@epa.gov)>  
**Cc:** Shapiro, Naomi <[Shapiro.Naomi@epa.gov](mailto:Shapiro.Naomi@epa.gov)>  
**Subject:** Structures for fumigation for Superior Press Release

John,

If you are going to keep the language we inserted about methyl bromide being applied in any structures used for quarantine and preshipment applications, here is a list of the structures (taken from the Meth-O-Gas Q label):

Railroad Car, Truck, Van, Sea Container, Tarpaulin, Warehouse Grain Elevator, Food Processing Plant, Shipboard in Transit Ship, Chamber and Vault fumigation.

A supervisory regulatory agent must be present for these fumigations of Meth-O-Gas Q, as per the label. And the fumigations must be for quarantine or preshipment.

Bruce



that they will be used only for quarantine or preshipment applications. Quarantine applications are treatments to prevent to the introduction, establishment and/or spread of quarantine pests in the United States. Preshipment applications are treatments of treat-limited commodities prior to export to meet the official requirements of the importing country, and imported goods to prevent introducing pests to the United States. Under the Clean Air Act, before a distributor of these products sells the pesticide to a pesticide applicator, it must first receive certification from the applicator that the pesticide will be used only for quarantine or for preshipment applications. The distributor of methyl bromide produced for quarantine and preshipment applications must also file a report to the EPA within 45 days after the end of each quarter that includes the total quantities of methyl bromide either exported or delivered domestically for quarantine or for preshipment applications. The methyl bromide-containing pesticides purchased and distributed by these companies are mostly restricted to use in ports and airports may only be applied for quarantine and preshipment purposes in structures used for the commercial storage or handling of commodities. These pesticides should never be used in residences or businesses.

Commented [AB5]: Again, here we use the term "distributor" loosely, because technically SAC is an exporter.

The EPA has been working on investigating companies' compliance with federal pesticides laws and the Clean Air Act in the Caribbean following a very serious pesticide poisoning incident in March, 2015, when a family vacationing in the U.S. Virgin Islands became gravely ill after being exposed to methyl bromide that was sprayed in used to fumigate a condo unit below their vacation rental.

From March to October of 2015, investigators from the Puerto Rico Department of Agriculture and the EPA conducted inspections at **Superior-Angran and Superior Angran Caribbean's** facility in Guaynabo and secured information from the company-companies regarding their handling and distribution of pesticides containing methyl bromide. The investigation revealed that **Superior-Angran and Superior Angran Caribbean** purchased two pesticides containing methyl bromide that are only allowed for use only in quarantine and preshipment applications, without certifying they would be used only for those purposes, and sold these two pesticides to applicators in Puerto Rico and the U.S. Virgin Islands without collecting the required certifications from these applicators. The company also failed to report to the EPA the quantities of methyl bromide it distributed to applicators in Puerto Rico and the U.S. Virgin Islands, and Superior Angran Caribbean failed to report to EPA the quantities of methyl bromide it and exported to Tortola in the British Virgin Islands.

Commented [AB6]: We only know that SA was the purchaser. We believe SAC exported the methyl bromide (which was purchased by SA).

In addition to paying a \$210,000 penalty, **Superior-Angran and Superior Angran Caribbean** will pay for a free professional training session for pesticide applicators in Puerto Rico and facilities such as hospitals and schools. The EPA provided input on the content of the training. Topics of the one-day training will include: legal fumigation practices; compliance with Clean Air Act recordkeeping and reporting requirements for applicators of methyl bromide-containing pesticides; and compliance with

# News Release

Region 2 - New Jersey, New York, Puerto Rico and the U.S. Virgin Islands



## Puerto Rico Pesticides Distributors Will Pay \$210,000 and Provide Training to Settle Case Involving Illegal Sale of Methyl Bromide Pesticides in Puerto Rico and the U.S. Virgin Islands

Commented [AB1]: Distributors (plural)

Contact: John Martin, (212) 637-3662, [martin.johni@epa.gov](mailto:martin.johni@epa.gov)

(New York, N.Y. – August \_\_, 2016) Under a settlement with the U.S. Environmental Protection Agency, two pesticide distributors, **Superior-Angran LLC and Superior Angran Caribbean Inc.** of Guaynabo, Puerto Rico, will pay a \$210,000 fine and provide professional training for people in the pesticides industry. The agreement settles alleged violations of the Clean Air Act. From 2013 to 2015, **Superior-Angran and Superior Angran Caribbean** purchased, stored and sold two pesticides containing methyl bromide without complying with the Clean Air Act's ("CAA") ozone-depleting substances ("ODS") reporting and recordkeeping requirements. Superior Angran Caribbean exported the same two pesticides containing methyl bromide without complying with the CAA ODS reporting requirements. This case is part of the EPA's ongoing work to address the illegal use of toxic pesticides containing methyl bromide in the Caribbean.

Commented [AB2]: Superior Angran Caribbean only exported. We believe Superior Angran was the purchaser and storer (and distributor to PR and USVI) of the methyl bromide

Commented [AB3]: In the version of the CAFO that I reviewed today, Superior Angran Caribbean counsel stated that the company no longer exports methyl bromide. The last export sale was done on August 20, 2014. I asked Superior to certify to that in the CAFO. In light of this, do you want to add mention in the Press Release that SAC reportedly no longer exports Methyl Bromide to Tortola in the British Virgin Islands?

"This settlement holds pesticide distributors in Puerto Rico accountable for violating important federal environmental laws and helps to ensure that other companies fully understand the important restrictions on the sale and use of pesticides, particularly those containing methyl bromide," said Judith A. Enck, EPA Regional Administrator. "Pesticides containing methyl bromide are very toxic and their use is restricted. Companies selling pesticides must follow all laws to help protect people from becoming seriously injured."

The health effects of exposure to methyl bromide are serious and range from headaches or dizziness, to central nervous system and respiratory system damage. Under the Clean Air Act, distributors of methyl bromide that was produced for quarantine or preshipment applications the two products sold by Superior-Angran and Superior Angran Caribbean must certify to the producer of those pesticides

Commented [AB4]: The phrasing you had-- "distributors of the two products sold by SA and SAC" makes it seem as though SA and SAC sold to distributors. This is not correct. SA and SAC sold to applicators. The reason why SAC does not have to certify to a producer is because SAC is technically an "Exporter," so a different reg applies to it. We use the term "distributor" loosely when referring to SAC, because an exporter technically is distributing even though it is not considered a "distributor" for purposes of the reporting and recordkeeping requirements for distributors under the CAA ODS regulations.

federal pesticide law application requirements for all applicators. The training session will also focus on Integrated Pest Management, which is an approach to prevent pests from becoming a problem by taking action to address the underlying causes that enable pests to thrive. These actions, such as repairing water leaks, adding weather stripping to windows, and installing door sweeps, reduce pesticide use and treatment costs while reducing water and energy costs, as well.

For more information on the EPA's regulation of pesticides, visit: <http://epa.gov/pesticides>

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